

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TRAVIS GLENN,

Plaintiff,

v.

AMERICO,

Defendant.

CASE NO. 2:24-cv-00184-TL

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

This matter is before the Court on Plaintiff's Motion for Appointment of Counsel. Dkt. No. 15. Having reviewed the relevant briefing, the Court DENIES Plaintiff's motion.

"Generally, a person has no right to counsel in civil actions." *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009) (affirming denial of appointment of counsel). Although most *pro se* litigants would benefit from representation by an attorney, that alone does not warrant the appointment of counsel. *See Rand v. Roland*, 113 F.3d 1520, 1525 (9th Cir. 1997) (affirming denial of appointment of counsel), *overruled on other grounds*, 154 F. 3d 952 (9th Cir. 1998) (en

1 banc). Instead, a court may appoint counsel for indigent civil litigants under “exceptional
2 circumstances,” pursuant to 28 U.S.C. § 1915(e)(1). *See Palmer*, 560 F.3d at 970. When
3 determining whether “exceptional circumstances” exist, a court must at least consider “the
4 likelihood of success on the merits as well as the ability of the [plaintiff] to articulate his claims
5 *pro se* in light of the complexity of the legal issues involved.” *Id.* (quotation marks omitted)
6 (quoting *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983)). Neither of these considerations
7 is dispositive; they must be viewed together. *Id.*

8 Having considered the standard for appointment of counsel for indigent civil litigants, the
9 complaint, and Plaintiff’s motion, the Court finds appointment of counsel to be inappropriate. At
10 this stage of the litigation, the Court cannot conclude that exceptional circumstances exist to
11 warrant appointment of counsel. The Court is unable to weigh the likelihood of success on the
12 merits of Plaintiffs’ claims on the underdeveloped record before it. *See, e.g., Sam v. Renton Sch.*
13 *Dist.*, No. C21-1363-RSM, 2021 WL 4952187, at *1 (W.D. Wash. Oct. 25, 2021) (“The Court
14 cannot conclude on this thin record whether these claims have a strong likelihood of success on
15 the merits.”). Even if the underlying claims are sufficiently meritorious, Plaintiffs’ filings
16 generally demonstrate a level of legal comprehension that fails to meet the requisite “high bar to
17 show that the legal issues involved are sufficiently complex[as to] impede[] his ability to present
18 his case.” *Siglar v. Hopkins*, 822 F. App’x 610, 612 (9th Cir. 2020).

19 For the foregoing reasons, Plaintiff’s Motion for Appointment of Counsel is DENIED.

20 Dated this 28th day of March 2024.

21
22 
23 Tana Lin
24 United States District Judge